


PROB 12C (Rev. 08/18)		<b>VIOLATION REPORT PART 1: PETITION FOR WARRANT</b>		U. S. Probation Office Eastern District of Michigan		PACTS 369082	DATE 03/27/2019
NAME GERTH, Alexander P.		OFFICER Daniel Ziehmer		JUDGE Marianne O. Battani		DOCKET # 17-CR-20441-01	
ORIGINAL SENTENCE DATE  08/08/2014  COMMENCED 06/01/2017  EXPIRATION 05/31/2020	SUPERVISION TYPE  Supervised Release	CRIMINAL HISTORY CATEGORY  I	TOTAL OFFENSE LEVEL  23	PHOTO 			
ASST. U.S. ATTORNEY Rajesh Prasad		DEFENSE ATTORNEY TBD					
REPORT PURPOSE  <b>TO ISSUE A WARRANT TO BE LODGED AS A DETAINER WITH THE MACOMB COUNTY JAIL</b>							
ORIGINAL OFFENSE Count 1: Bank Robbery, 18 U.S.C. §§ 2113(a) and 2							
SENTENCE DISPOSITION  Custody of the Bureau of Prisons for a term of 57 months, to be followed by a three-year term of supervised release.  Name of Sentencing Judicial Officer: Honorable David R. Herndon, Southern District of Illinois. Jurisdiction accepted by the Honorable Marianne O. Battani on July 11, 2017.							
<b>ORIGINAL SPECIAL CONDITIONS</b> <ol style="list-style-type: none"> <li>1. The defendant's history indicates the need for a cognitive behavioral evaluation to identify any risk associated with criminal thinking, which may afford adequate deterrence to criminal conduct, protect the public from further crimes, and provide corrective treatment, the defendant shall complete such an evaluation and comply with treatment as recommended by the evaluation. The defendant shall pay for the costs associated with services rendered, based on a Court approved sliding scale as directed by the probation officer. The defendant's financial obligation shall never exceed the total cost of services rendered.</li> <li>2. While any financial penalties are outstanding (corrective treatment/satisfaction of sentence), the defendant shall provide officer and the Financial Litigation Unit of the United States Attorney's Office with access to any requested financial information. The defendant is advised that the probation office may share financial information with the Financial Litigation Unit.</li> </ol>							

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<p>3. While any financial penalties are outstanding (corrective treatment/satisfaction of sentence), the defendant shall apply all monies received from income tax refunds, lottery winnings, judgments, and/or any other anticipated or unexpected financial gains to the outstanding court-ordered financial obligation. The defendant shall immediately notify the probation officer of the receipt of any indicated monies.</p> <p>Criminal Monetary Penalties: Special Assessment \$100.00 (Paid), Restitution \$5,988.64 (Paid)</p>					
The probation officer believes that the offender has violated the following conditions of Supervised Release:					
VIOLATION NUMBER	NATURE OF NONCOMPLIANCE				
1	<p><b><u>Violation of Mandatory Condition:</u></b> “THE DEFENDANT SHALL NOT COMMIT ANOTHER FEDERAL, STATE, OR LOCAL CRIME.”</p> <p>On November 5, 2017, the offender was arrested by officers of St. Clair Shores Police Department, St. Clair Shores, Michigan, for Operating While Intoxicated. Officers responded to a call following a one-car accident on Interstate I-94 in St. Clair Shores, Michigan. Officers learned that the vehicle being driven by the offender had struck the median and became disabled. During the course of investigation, the offender was found to be intoxicated and a breathalyzer test conducted at the police department revealed him to have a blood alcohol content of .10%.</p> <p>The offender pled guilty and was sentenced on January 29, 2018, in the 40th District Court, St. Clair Shores, Michigan by the Honorable Joseph Oster, Docket 17SS17573 to serve one weekend in the Macomb County Jail and two years probation. On March 8, 2019, he was discharged as a violator and ordered to serve 93 days Macomb County jail, with credit for four days served.</p>				
2	<p><b><u>Violation of Mandatory Condition:</u></b> “THE DEFENDANT SHALL NOT COMMIT ANOTHER FEDERAL, STATE, OR LOCAL CRIME.”</p> <p>On January 30, 2019, the offender was arrested by officers with the Utica Police Department, Utica, Michigan, following an animal cruelty investigation. Officers had begun the investigation on January 24, 2019, after a dog had been found stabbed to death under a picnic table at a local park.</p> <p>Through the investigation, officers learned that on December 29, 2019, the offender had used a proxy to obtain a two-year-old pitbull mix, named Sterling, from the Michigan Humane Society after his application was denied based on his landlord not approving dogs.</p>				

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<p>Officers learned that the offender had been abusive toward the dog on several occasions in January 2019. Upon questioning, the offender admitted to officers that on January 24, 2019, “he tied the dog to a dog waste receptacle at Grant Park.” He admitted he “stabbed the dog three times and the dog fled the scene to his death.” He claimed that he had previously struck the dog as a form of discipline for bad behavior.</p> <p>The offender was charged with Felony Killing/Torturing an Animal in 41A District Court, Shelby Township, Michigan. On March 18, 2019, the offender pled no contest in the 16<sup>th</sup> Circuit Court, Mount Clemens, Michigan. He is scheduled to be sentenced on April 23, 2019. The offender is currently in custody at the Macomb County Jail.</p>					
I declare under penalty of perjury that the foregoing is true and correct. PROBATION OFFICER  s/Daniel Ziehmer/lat (313) 234-5422			DISTRIBUTION  Court		
SUPERVISING PROBATION OFFICER  s/Steven M. Ely (313) 234-5583			PROBATION ROUTING  Data Entry		
<b>THE COURT ORDERS:</b>  <input checked="" type="checkbox"/> The issuance of a warrant to be lodged as a detainer with the Macomb County Jail  <input type="checkbox"/> Other					
<div style="text-align: right;"> <u>s/Marianne O. Battani</u>          United States District Judge   <u>March 28, 2019</u>          Date       </div>					